

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	
)	CRIMINAL NO.: 1:08CR385-004
v.)	
)	Sentencing: September 4, 2009
PAULA GIPSON,)	The Honorable T.S. Ellis, III
)	
Defendant.)	

**MEMORANDUM OF THE UNITED STATES IN SUPPORT OF ITS
MOTION FOR DOWNWARD DEPARTURE**

The United States of America, through its attorneys, Dana J. Boente, United States Attorney, John Eisinger, Assistant United States Attorney, and Tyler Newby, Special Assistant United States Attorney, files this memorandum, pursuant to Rule 5k1.1 of the United States Sentencing Guidelines, in support of its motion for a downward departure in the sentencing of the defendant, Paula Gipson. For the reasons set forth below, the United States recommends a departure of 50%.

From the time of her arrest in early August 2008, the Defendant provided substantial assistance to the government's investigation and prosecution of at least five other members of the conspiracy to defraud financial institutions of funds in Home Equity Line of Credit (HELOC) accounts. The Defendant immediately confessed her participation in the scheme to federal agents after her arrest. Shortly thereafter, she traveled from Dallas, Texas at her own expense to debrief with the government agents and prosecutors. The Defendant's was the first co-conspirator to debrief with the Government and explained how the conspiracy operated, and identified new leads. The Defendant testified before the grand jury in September 2008 and testified again during the jury trial of co-conspirator Henry Obilo in April 2009. That trial

resulted in a conviction. Throughout the Defendant's cooperation with the government, the information she has provided in debriefings and during testimony has proven to be accurate and truthful.

In addition to her cooperation in the HELOC fraud conspiracy, the Defendant affirmatively approached government agents in two different judicial districts to offer her cooperation in the investigation of crimes unrelated to the HELOC conspiracy. In *United States v. Carson*, a narcotics distribution case against a former acquaintance of the Defendant in the Southern District of Alabama, the Defendant approached the government to provide evidence in support of the government's case. The Defendant ultimately testified at trial after being subpoenaed by the government. The government will provide the details of the Defendant's assistance to the government in the other matter in which she is cooperating at the bench, due to that investigation's ongoing nature.

For the reasons set forth above, the United States recommends a downward departure of 50% from the defendant's calculated Guidelines range.

Respectfully submitted,

Dana J. Boente
United States Attorney

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/s/ Tyler Newby
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CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of August, 2009, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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